



GALVESTON COUNTY, TEXAS

COMMISSIONERS COURT 722 Moody, County Courthouse, Galveston, TX 77550 (409) 766-2244

Mark Henry Ryan Dennard Joe Giusti Stephen Holmes Ken Clark
County Judge Commissioner, Precinct 1 Commissioner, Precinct 2 Commissioner, Precinct 3 Commissioner, Precinct 4

AGENDA

March 31, 2015 – 1:30 PM

CONSENT AGENDA: ALL ITEMS MARKED WITH A SINGLE ASTERISK (*) ARE PART OF THE CONSENT AGENDA AND REQUIRE NO DELIBERATION BY THE COMMISSIONERS COURT. ANY COMMISSIONERS COURT MEMBER MAY REMOVE AN ITEM FROM THIS AGENDA TO BE CONSIDERED SEPARATELY.

In accordance with the provisions of the Americans with Disabilities Act (ADA), persons in need of a special accommodation to participate in this proceeding shall, within three (3) days prior to any proceeding contact the County Judge's office at 722 Moody, Galveston, Texas 77550 (409) 766-2244.

REGULARLY SCHEDULED MEETING

Call to Order

Invocation and Pledge of Allegiance

Consent Agenda

- *1. Submitted by Auditor's Office:
 - a. Approval of the Accounts Payable checks dated 3/24/15 and 3/31/15
 - b. Order for Payroll period ending 3/25/15 Bi-Weekly #7
 - c. Order for Supplemental Payroll period ending 3/25/15 Bi-Weekly #7
 - d. Indemnification Request from County Tax Office
 - e. Order approving monthly Health Insurance Claims made by Boon Chapman for month ending 1/31/15
 - f. Order approving monthly Health Insurance Claims made by Boon Chapman for month ending 2/28/15
 - g. Order approving monthly Indigent Healthcare Fund made by Boon Chapman for month ending 1/31/15
 - h. Order approving monthly Indigent Healthcare Fund made by Boon Chapman for month ending 2/28/15

- i. Internal audit report on the Governmental Accounting Standards Board (GASB) Statement 68 Audit for period covered 10/1/13 - 9/30/14. Attached are the response letters from Mr. Matt Votaw, Ms. Peri Bluemer, and Honorable Kevin Walsh dated 3/6-10/2015
- j. Internal Audit report of the Treasurer's Office for period of 1/1/14 through 12/31/14 with response letter from Honorable Kevin Walsh dated 3/10/15
- k. Internal Audit report of the Sheriff's Office Petty Cash Fund for period of 1/1/14 - 12/31/14 with response letter from Sheriff Henry Trocheset dated 3/10/15
- *2. Receive and file *Summary of Bi-Weekly Personnel Movements pay period #6, February 26 – March 11, 2015* submitted by Human Resources.
- *3. Consideration of a *resolution Proclaiming April as Child Abuse Prevention and Awareness Month* submitted by Director of Contract Services.
- *4. Consideration of a *resolution for Parkinson's Awareness Month in April* submitted by County Legal.
- *5. Consideration of a *resolution honoring Estelle Hamilton on her 100th birthday* submitted by the County Judge.
- *6. Consideration of a *resolution supporting the passage of S.B. 845 and H.B. 619 which will place limits on taxes on the sale, repair and maintenance of pleasure boats in order to stimulate economic activity in the maritime industry* submitted by Commissioner, Precinct. 4.
- *7. Receive and file *notification of budget for Lee and Joe Jamail Bay Park Memorandum of Understanding approved by Commissioners Court on 12/23/14* submitted by the County Auditor.
- *8. Receive and file *approval for The Children's Center organization which will provide Emergency Shelter Activities* submitted by the Director of Contract Services.
- *9. Receive and file *installation of Stop Signs in Port Bolivar* submitted by Road and Bridge.
- *10. Consideration of *ratification of nomination for George Black to serve as the City of Galveston's representative on the Gulf Coast Water Authority* submitted by the County Judge.
- *11. Consideration of *approval from Sidney Paul Bertrand and Carolyn D. Bertrand to convey portions of Lots 120, 121 and 122, out of Holiday Beach on Bolivar Peninsula by metes & bounds without revising the plat* submitted by the County Engineer.

- *12. Consideration of *accepting special right of way deed on Parcel 101, required for the FM 646 project* submitted by Right of Way.
- *13. Consideration of *granting approval to the Santa Fe Little League to construct and donate to the County two, 3-sided backstops at the baseball complex at Runge Park*, submitted by the Parks & Cultural Services Department.
- *14. Consideration of *approval of a Memorandum of Understanding with Brazos Valley Amateur Radio Club* submitted by Parks & Cultural Services.
- *15. Consideration of *approval of cell phone request* submitted by the Chief Finance Officer.
- *16. Consideration of approval of *Cooperative Working Agreement with St. Vincent's House* regarding services pertaining to the *Juvenile Justice and Delinquency Prevention Grants from the Office of the Governor's Criminal Justice Division to the Sheriff's Department* and authorize County Judge to sign submitted by the Grants Manager.
- *17. Request for *Ratification of Denial of Request for Waiver or Refund of Penalty and Interest as Recommended by Penalty & Interest Review Committee* submitted by the Tax Assessor/Collector:
 - a. **R421191** Hallman, Patricia 2013 \$578.15
- *18. Request for *Waiver or Refund of Penalty and Interest Due to Clerical Errors as Recommended by Penalty & Interest Review Committee* submitted by the Tax Assessor/Collector:
 - a.

R221307	Luna, Mary Alice	2014	\$69.50
R206115	Luna, Mary Alice	2014	\$4.03
R206116	Luna, Mary Alice	2014	\$14.37
R206116	Luna, Mary Alice	2014	\$19.78
R206117	Luna, Mary Alice	2014	\$4.03
R206120	Luna, Mary Alice	2014	\$4.03
R206121	Luna, Mary Alice	2014	\$3.91
R206122	Luna, Mary Alice	2014	\$4.03
R206125	Luna, Mary Alice	2014	\$4.03
R206130	Luna, Mary Alice	2014	\$6.37
R206131	Luna, Mary Alice	2014	\$6.37
R206132	Luna, Mary Alice	2014	\$6.37
R206133	Luna, Mary Alice	2014	\$6.37
R206092	Luna, Mary Alice	2014	\$5.91
R206098	Luna, Mary Alice	2014	\$4.89

- *19. Request for *Ratification of Denial of Request for Waiver or Refund of Penalty and Interest as Recommended by Penalty & Interest Review Committee* submitted by the Tax Assessor/Collector:

a. **R122642** Lewis, Johnny & Laura 2013 \$343.45

- *20. Request for *Waiver or Refund of Penalty and Interest Due to Clerical Errors as Recommended by Penalty & Interest Review Committee* submitted by the Tax Assessor/Collector:

a. **R503996** Moayyed, Abdolali 2014 \$11.58
R503996 Moayyed, Abdolali 2014 \$128.70
R436825 Xie, Yan 2014 \$20.62
R436825 Xie, Yan 2014 \$228.95
R190852 Thompson, Hellen 2014 \$7.04
R201010 See, Thomas & Carol 2014 \$42.00
R119194 Forester, Harry 2014 \$80.79
R179103 Johnson, Chris & Pamela 2014 \$13.88
R293278 Johnson, Chris & Pamela 2014 \$13.31
R179160 Johnson, Chris & Pamela 2014 \$24.98
R426796 BSEC TRUST 2014 \$1,822.31

- *21. Consideration of *approval of 2015 Tax Assessment & Collection Fees* submitted by the Tax Assessor/Collector:

a.

Fee Summary	2011-2014	2015 Proposed
Galveston County Properties	\$0.274	\$0.256
Harris County Properties	\$1.01	\$1.010

- *22. Consideration of *Request for Tax Refunds in Excess of \$2,500.00* submitted by the Tax Assessor/Collector:

a. **P508441** \$6,885.91 Over Payment
P509949 \$4,233.38 Over Payment
P511290 \$5,186.56 Over Payment
P511455 \$28,164.09 Over Payment
P511462 \$30,741.47 Over Payment
P511464 \$10,462.54 Over Payment
P511630 \$3,823.88 Over Payment
P512635 \$2,724.54 Over Payment
P515102 \$6,555.95 Over Payment
P516625 \$73,456.87 Over Payment
R100071 \$3,148.85 Over Payment
R101290 \$5,726.48 Over Payment
R109596 \$4,290.17 Over Payment

R111125	\$3,602.76	Duplicate Payment
R113969	\$3,704.06	Duplicate Payment
R118877	\$3,231.92	Over Payment
R124879	\$3,794.08	Duplicate Payment
R126845	\$3,072.25	Over Payment
R127566	\$5,680.51	Over Payment
R131376	\$3,154.47	Over Payment
R340996	\$7,844.97	Over Payment
R141568	\$4,254.04	Duplicate Payment
R166863	\$3,448.81	Duplicate Payment
R181930	\$2,540.11	Over Payment
R201517	\$3,463.24	Over Payment
R209873	\$3,542.77	Over Payment
R213800	\$3,941.10	Over Payment
R213801	\$10,028.27	Over Payment
R218144	\$2,850.74	Duplicate Payment
R219844	\$6,140.94	Duplicate Payment
R222250	\$3,914.49	Duplicate Payment
R229682	\$6,911.68	Over Payment
R231101	\$4,143.50	Duplicate Payment
R232811	\$15,375.00	Over Payment
R306957	\$6,149.75	Over Payment
R307013	\$2,557.18	Duplicate Payment
R365713	\$3,016.31	Duplicate Payment
R394961	\$2,907.17	Duplicate Payment
R399590	\$2,634.31	Duplicate Payment
R406429	\$2,574.79	Duplicate Payment
R411545	\$4,842.03	Duplicate Payment
R412984	\$3,276.19	Duplicate Payment
R414406	\$3,417.30	Duplicate Payment
R417616	\$3,241.08	Duplicate Payment
R425483	\$3,628.44	Duplicate Payment
R430919	\$4,006.40	Over Payment
R433370	\$3,940.23	Over Payment
R440733	\$5,404.96	Duplicate Payment
R510166	\$5,316.88	Over Payment
R510627	\$3,194.85	Over Payment
R521168	\$4,807.37	Over Payment
R522439	\$4,449.33	Over Payment

*23. Consideration for *authorization to grant a full refund for an automobile purchased from Galveston County through a GovDeals transaction* submitted by the Purchasing Agent.

*24. Consideration for *authorization to add donated property into the Sheriff's Department Inventory and then to dispose as Salvage or Surplus Property* submitted by the Purchasing Agent.

- *25. Consideration to *authorize an extension on the following bid* submitted by the Purchasing Agent:
 - a. Bid #B132008 Weed and Brush Control Chemicals
- *26. Consideration for *authorization to dispose of Salvage or Surplus Property* submitted by the Purchasing Agent.
- *27. Consideration of *approval of software maintenance renewal for Global Scape FTP servers with Global Scape* submitted by Information Technology.
- *28. Consideration of *approval of authorizing County Judge to execute CDBG Environmental Review for WCID# 1 documents* submitted by the CDBG Project Coordinator.
- *29. Consideration of *approval of Change Order #1 – Activity 2014000552 for CDBG Hurricane Ike Round 2 Program* submitted by Housing Department.

Action Agenda

30. County Architect

- a. Consideration of approval of the following Change Orders:
 - 1. Consideration of a change order to agreement CM14094 between Galveston County and Ardent Construction, LLC on the Record Storage and Hurricane Ike Repairs to the Old North Jail and Old Courthouse Annex that reduces the contingency allowance to \$0. This change order reduces the agreement \$712.20 and allows the agreement to be closed out.
 - 2. Consideration of a change order to agreement CM14099 between Galveston County and Albrecht Incorporated on the Record Storage and Hurricane Ike Repairs to the Old North Jail and Old Courthouse Annex that reduces the contingency allowance to \$0. This change order reduces the agreement \$678.00 and allows the agreement to be closed out.
 - 3. Consideration of a change order to agreement CM13282 between Galveston County and Strommen Painting Enterprises, Inc. on the Record Storage and Hurricane Ike Repairs to the Old North Jail and Old Courthouse Annex that reduces the contingency allowance to \$0. This change order reduces the agreement \$1,941.00 and allows the agreement to be closed out.

4. Consideration of a change order to agreement CM13286 between Galveston County and Simplex Grinnell LP on the Record Storage and Hurricane Ike Repairs to the Old North Jail and Old Courthouse Annex that reduces the contingency allowance to \$0. This change order reduces the agreement \$5,197.50 and allows the agreement to be closed out.

31. **County Legal**

- a. **Break into Executive Session.**
- b. **Executive Session:** Texas Government Code Section 551.071, Consultation with Attorney: the Commissioners Court will enter into an executive session as permitted under the Texas Open Meetings Act, Chapter 551 of the Texas Government Code, pursuant to Section 551.071 of the Government Code: to seek the advice of its attorney about pending or contemplated litigation or on a matter in which the duty of the attorney to the County under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act relating to EEOC Charge No 460-2015-01772, before the U.S. Equal Employment Opportunity Commission.
- c. **Executive Session:** Texas Government Code Section 551.071, Consultation with Attorney: the Commissioners Court will enter into an executive session as permitted under the Texas Open Meetings Act, Chapter 551 of the Texas Government Code, pursuant to Section 551.071 of the Government Code: to seek the advice of its attorney about pending or contemplated litigation or on a matter in which the duty of the attorney to the County under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act relating to CV-0072521, Charlotte Lynn Hardy v. Robert George Carmody, County Court at Law No. 2.
- d. **Executive Session:** Texas Government Code Section 551.071, Consultation with Attorney: the Commissioners Court will enter into an executive session as permitted under the Texas Open Meetings Act, Chapter 551 of the Texas Government Code, pursuant to Section 551.071 of the Government Code: to seek the advice of its attorney about pending or contemplated litigation or on a matter in which the duty of the attorney to the County under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act relating to 15-CV-0289, Robert Sealy v. County of Galveston, in the 212th Judicial District Court.
- e. **Executive Session:** Texas Government Code Section 551.071, Consultation with Attorney: the Commissioners Court will enter into an executive session as permitted under the Texas Open Meetings Act, Chapter 551 of the Texas Government Code, pursuant to Section 551.071 of the Government Code: to seek the advice of its attorney about pending or contemplated litigation or on a matter in which the duty of the attorney to the County under the Texas-

Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act relating to 3:14-CV-00302, Timothy Lyons v. City of Galveston, et al in the United States District Court for Southern District of Texas, Galveston Division.

- f. **Executive Session:** Texas Government Code Section 551.071, Consultation with Attorney: the Commissioners Court will enter into an executive session as permitted under the Texas Open Meetings Act, Chapter 551 of the Texas Government Code, pursuant to Section 551.071 of the Government Code: to seek the advice of its attorney on a matter in which the duty of the attorney to the County under the Texas Disciplinary Rules of Professional Conduct of the state Bar of Texas clearly conflicts with the Open Meetings Act relating to 14-CV-0031, Triple B Services, LLP v. Galveston County in the 122nd Judicial District Court.
- g. **Executive Session:** Texas Government Code Section 551.071, Consultation with Attorney: the Commissioners Court will enter into an executive session as permitted under the Texas Open Meetings Act, Chapter 551 of the Texas Government Code, pursuant to Section 551.071 of the Government Code: to seek the advice of its attorney on a matter in which the duty of the attorney to the County under the Texas Disciplinary Rules of Professional Conduct of the state Bar of Texas clearly conflicts with the Open Meetings Act relating to real property in the vicinity of Rollover Pass.
- h. **Executive Session:** Texas Government Code Section 551.071, Consultation with Attorney: the Commissioners Court will enter into an executive session as permitted under the Texas Open Meetings Act, Chapter 551 of the Texas Government Code, pursuant to Section 551.071 of the Government Code: to seek the advice of its attorney on a matter in which the duty of the attorney to the County under the Texas Disciplinary Rules of Professional Conduct of the state Bar of Texas clearly conflicts with the Open Meetings Act relating to the budgetary and payment differences between the Galveston County Health District and participating municipalities for the provision of animal services.
- i. **Executive Session:** Texas Government Code Section 551.071, Consultation with Attorney: the Commissioners Court will enter into an executive session as permitted under the Texas Open Meetings Act, Chapter 551 of the Texas Government Code, pursuant to Section 551.071 of the Government Code: to seek the advice of its attorney on a matter in which the duty of the attorney to the County under the Texas Disciplinary Rules of Professional Conduct of the state Bar of Texas clearly conflicts with the Open Meetings Act relating to the performance of private pathology or expert witness services in Galveston County by employees or officials within the Galveston County Medical Examiner's Office.

- j. **Executive Session:** Texas Government Code Section 551.071, Consultation with Attorney: the Commissioners Court will enter into an executive session as permitted under the Texas Open Meetings Act, Chapter 551 of the Texas Government Code, pursuant to Section 551.071 of the Government Code: to seek the advice of its attorney on a matter in which the duty of the attorney to the County under the Texas Disciplinary Rules of Professional Conduct of the state Bar of Texas clearly conflicts with the Open Meetings Act relating to DJ # 204-74-343, The United States of America and Galveston County, Texas under the Americans with Disabilities Act.
- k. **Executive Session:** Texas Government Code Section 551.071, Consultation with Attorney: the Commissioners Court will enter into an executive session as permitted under the Texas Open Meetings Act, Chapter 551 of the Texas Government Code, pursuant to Section 551.071 of the Government Code: to seek the advice of its attorney on a matter in which the duty of the attorney to the County under the Texas Disciplinary Rules of Professional Conduct of the state Bar of Texas clearly conflicts with the Open Meetings Act relating to Civil Action No. 01-14-00820-CV; In re Galveston County Judge Mark Henry et al, in Their Official Capacities, in the First Court of Appeals, Houston.
- l. **Executive Session:** Texas Government Code Section 551.071, Consultation with Attorney: the Commissioners Court will enter into an executive session as permitted under the Texas Open Meetings Act, Chapter 551 of the Texas Government Code, pursuant to Section 551.071 of the Government Code: to seek the advice of its attorney about pending or contemplated litigation or on a matter in which the duty of the attorney to the County under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act relating to 14-CV-1289, Bonnie Quiroga v. Galveston County, in the 212th Judicial District Court.
- m. **Reconvene into Regularly Scheduled Session.**
- n. Consideration of approving participation in EEOC Mediation Process for EEOC Charge No. 460-2015-01772, before the U.S. Equal Employment Opportunity Commission.
- o. Consideration of approving settlement of CV-0072521, Charlotte Lynn Hardy v. Robert George Carmody in County Court at Law No. 2 and authorizing County Legal to execute all documentation necessary to complete the settlement.

32. **Human Resources**

- a. Consideration of execution of Subscription Agreement with Worxtime.

33. **Professional Services**

- a. Consideration of execution of an Agreement for Engineering Services with HDR Engineering, Inc. for Texas Department of Agriculture CDBG Sewer Project located in WCID#1 presented by CDBG Project Coordinator.
- b. Consideration of *execution of an Agreement for consulting services with Public Management Inc. for CDBG Sewer Project located in WCID#1* presented by CDBG Project Coordinator.
- c. Consideration of approval of the following Budget Amendments:
 1. 15-065-0331-A
Constable Precincts - Request transfer from General Fund Budgeted Reserves for Car Allowances in various Constable precincts.
 2. 15-066-0331-B
Human Resources - Request transfer from General Fund Budgeted Reserves for Worxtime contract.
 3. 15-067-0331-C
County Clerk - Request transfer from County Clerk Records Management & Preservation Budgeted Reserves for additions to the Courtsight Suite project.
 4. 15-068-0331-D
Fleet Management - Request transfer from General Fund Budgeted Reserves for replacement of two vehicles for the Sheriff's Department.
 5. 15-069-0331-E
Constable Precinct #2 - Request transfer from General Fund Budgeted Reserves for uniform expense in Constable Precinct #2.
 6. 15-070-0331-F
Professional Services - Request transfer from General Fund Budgeted Reserves for Transfer and Reserves account.
 7. 15-071-0331-G
Professional Services - Request transfer from various telephone cellular accounts and General Fund Budgeted Reserves to General Government telephone cellular account for FY 2015.
 8. 15-072-0331-H
Parks & Cultural Services - Request pay grade changes for Park Aide Seasonal positions in Parks & Cultural Services.

9. 15-073-0331-I
Sheriff's Department - Request transfer from General Fund Budgeted Reserves for additional bullet proof vest for Galveston County Constables and Deputy Constables.
10. 15-074-0331-J
Treasurer's Office - Request transfer from General Fund Budgeted Reserves for advertising of bank Invitation to Bid (ITB).
11. 15-075-0331-K
Tax Assessor/Collector - Request transfer from General Fund Budgeted Reserves for office supplies in the Tax Collector/Assessor Administration Department.

34. **Purchasing**

- a. Consideration to award properties associated with the following bid:
 1. Bid #B151015 CDBG Round 2-Real Property Sales-January 2015
- b. Consideration to award contracts for the following Bid/RFP:
 1. Bid #B152007 Precoat Topping Rock
 2. RFP #B151010 High Island Emergency Shelter/Gymnasium

Adjourn

WORKSHOP AGENDA

1. Discuss draft of economic development planning submitted by Bay Area Houston Economic Partnership.
2. Discussion of opening gym membership reimbursement program to all employees submitted by Human Resources.
3. Discussion on Health Care Reform for seasonal employees submitted by Human Resources.
4. Discussion of options available for lighting retrofit projects at County Facilities: Purpose, benefits, funding, potential private sector partnerships submitted by the County Architect.
5. Presentation by District and County Court representative to discuss the Justice System of Galveston County.

6. Discuss Department of Justice Administration; organization of Commissioners' Court administrative responsibilities related to the judicial system; Personal Bond Office; Collection Improvement Program; law library; Jail Impact Population Control Coordinator; pre-trial release of criminal defendants and pre-trial services; alternative dispute resolution systems; and administrative justice system processes.
7. Discuss Department and Director of Court Administration for District and County Courts and Department and Director of Justice & Public Safety.

Appearances before Commissioners Court

A speaker whose subject matter as submitted relates to an identifiable item of business on this agenda will be requested by the County Judge or other presiding court members to come to the podium where they will be limited to three minutes (3). A speaker whose subject matter as submitted does not relate to an identifiable item of business on this agenda will be limited to three minutes (3) and will be allowed to speak before the meeting is adjourned. Please arrive prior to the meeting and sign in with the County Clerk.

Executive Sessions

The Galveston County Commissioners Court may recess into closed meeting (Executive Session) on any item listed on this agenda if the Executive Session is authorized under the Open Meetings Act pursuant to one or more the following exceptions: Tex. Gov't Code §§ 551.071 (consultation with attorney), 551.072 (deliberation regarding real property), 551.073 (deliberation regarding a prospective gift or donation), 551.074 (personnel matters), 551.0745 (personnel matters affecting County advisory body), 551.076 (deliberation regarding security devices or security audits), and/or 551.087 (deliberations regarding economic development negotiations). The Presiding Officer of the Commissioners Court shall announce the basis for the Executive Session prior to recessing into Executive Session. However, the Commissioners Court may only enter into the Executive Session on any agenda item for which a separate Executive Session has not been separately posted if, prior to conducting the Executive Session, a majority of the Commissioners Court votes to go into Executive Session. This motion requirement does not apply to any agenda item that has been previously noticed to constitute or include an Executive Session.
